

# State of Colorado



**Bill Owens**  
*Governor*

**Richard Djokic**  
*Director*

## DPA

**Department of Personnel  
& Administration**

**State Personnel Board**

The Chancery  
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### NOTICE OF RULEMAKING

TO: Secretary of State  
All Departments, Agencies, Institutions and Other Interested Parties

FROM: Richard Djokic, Director  
State Personnel Board

DATE: February 18, 2005

SUBJECT: **NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF  
PERMANENT RULES, 4 CCR 801**

The State Personnel Board, in conjunction with the State Personnel Director, will hold a public hearing on Wednesday and Thursday, April 13 and 14, 2005, to consider repeal of all its current rules, and adoption of new permanent rules. The public hearing will commence at 9:00 a.m. in the Auditorium of the Fort Logan Mental Health Center, 3550 W. Oxford Avenue, Denver, Colorado 80236. All interested persons are urged to attend this public hearing and to submit written comments to the State Personnel Board prior to the hearing for the Board's consideration concerning the proposed rules. Written comments should be submitted no later than the close of business on Wednesday, April 6, 2005.

Reasonable accommodation will be provided upon request for persons with disabilities. If you are a person with a disability who requires an accommodation to participate in this public hearing, please notify Andrea Woods at 303-764-1472 by April 6, 2005.

The Board will consider repeal of its current rules, and adopting new permanent rules as follows:

- Introduction—outlining the purpose and goals of the adopted rules, along with effective dates;

- Organization, Responsibilities, Ethics, and Definitions—including rules concerning the Board, appointing authority, employee activities, records, human resource innovation programs, and definitions;
- Jobs—including rules concerning job evaluation system and Senior Executive Service;
- Employment and Status—including rules concerning general principles, recruitment, methods, employment lists, and employment status;
- Performance—including rules concerning general principles, performance management, and corrective and disciplinary actions;
- Separation—including rules concerning general principles, resignation, layoff principles, notice requirements, retention areas, determining priorities for layoff and retention rights, retention rights, and record-keeping;
- Dispute Resolution—including rules concerning general principles, notice of rights, grievance process, alternative dispute resolution, declaratory orders, investigation of retaliation for disclosure of information, allegations of discrimination, attorney fees and costs, general appeal process, discretionary Board hearings, Board appeals, preparation for Board hearings, Board review of initial determinations, and security; and
- Fair Employment Practices—including rules concerning general principles, discrimination, and diversity plan.

The proposed rules and the proposed statement of basis, specific statutory authority and purpose will be available for review by interested persons on or before close of business March 10, 2005, at the State Personnel Board's offices, 1120 Lincoln Street, Suite 1420, Denver, Colorado 80203, or on the State Personnel Board's website, rulemaking section, at <http://www.colorado.gov/dpa/spb>.

The specific authority of the State Personnel Board to promulgate these rules is found at Article XII, sections 13 and 14 of the Colorado Constitution; the State Personnel System Act, section 24-50-101, *et seq.*, C.R.S.; section 24-50.5-101, *et seq.* C.R.S.; sections 24-4-103, 105 and 106, C.R.S.; and *CAPE v. Lamm*, 677 P.2d 1350 (Colo. 1984).